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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,612	09/12/2001	Ping Liu	034300-172	8236

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EXAMINER

CAO, CHUN

ART UNIT PAPER NUMBER

2115

DATE MAILED: 11/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/954,612		LIU, PING	
	<b>Examiner</b>		<b>Art Unit</b>	
	Chun Cao		2115	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 September 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/15/03, 2/27/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-24 are presented for examination.

#### **Specification**

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title is imprecise.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1 recites the limitations "the insertion" in lines 3-4, "the device" in line 6.

There is insufficient antecedent basis for this limitation in the claim.

Claims 2-8 are rejected because they incorporate the deficiencies of claim 1.

Claim 9 recites the limitations "the insertion" in line 3, "the removal" in line 6.

There is insufficient antecedent basis for this limitation in the claim.

Claims 10-15 are rejected because they incorporate the deficiencies of claim 9.

Claim 16 recites the limitations "the insertion" in line 3, "the removal" in line 5.

There is insufficient antecedent basis for this limitation in the claim.

Claims 17-24 are rejected because they incorporate the deficiencies of claim 16.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Fuller et al. (Fuller), U.S. patent no. 5,768,605.

Fuller is a prior art reference cited by applicant.

As per claim 1, Fuller discloses power control for a peripheral device insertable into a host device [figures 5-7], the power control comprising:

a switch [350, fig. 7] configured to generate a signal that simulates an insertion and removal of the peripheral device within the host device such that power from the host device will be supplied to the peripheral device when simulating the peripheral device is inserted into the host device and power will be removed from the peripheral device when simulating the peripheral device is removed from the host device [figs. 5-7; col. 5, lines 25-38];

wherein the peripheral device is not physically inserted or removed from the host device [col. 1, line 64-col. 2, line 15; col. 4, lines 18-26].

As per claim 2, Fuller discloses that the switch is configured to generate an inserted signal simulating insertion of the peripheral device and a removed signal simulating removal of the peripheral device [figs 5-7; col. 4, lines 34-48; col. 4, line 61-col. 5, line 9; col. 5, lines 25-38].

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller et al. (Fuller), U.S. patent no. 5,768,605.

As per claim 3, Fuller does not explicitly disclose that the switch is configured to generate the inserted signal upon extension of an antenna of the peripheral device and configured to generate the removed signal upon retraction of the antenna. In summary, Fuller does not disclose that the switch is generated an insertion or removal signal base on the position of an antenna whether supply power to the peripheral device.

However, Fuller discloses a retractable communication connector [364, fig. 7] which performs the same function as the antenna. Fuller discloses that the switch is configured to generate the inserted signal upon extension of retractable communication connector of the peripheral device and configured to generate the removed signal upon retraction of the retractable communication connector [col. 5, lines 25-38]. Therefore, Fuller discloses that the switch is generated an insertion or removal signal base on the position of the retractable connector whether supply power to the peripheral device.

As per claim 4, Fuller discloses that the switch is electrically connected to detecting pins of the host device, the detecting pins determining whether the peripheral device is inserted or removed from the host device [fig. 7; col. 5, lines 11-38].

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As per claim 5, Fuller discloses that the switch is operative to generate an open circuit as the removed signal and a low voltage level as the inserted signal [figs 5-7; col. 4, lines 34-45; col. 5, lines 2-9].

As per claim 6, Fullers discloses that the low voltage level is a ground potential [figs 5-7; col. 4, lines 34-45; col. 5, lines 2-9].

As per claim 7, Fullers discloses that the switch includes a lever which detects the position of the antenna in order to generate the inserted and removed signals [fig. 7; col. 5, lines 10-38].

As per claim 8, Fullers discloses that the peripheral device is a PCMCIA card [figs. 2a, 2b; col. 5, lines 11-12].

As to claims 9-15, Fuller teaches the claims 1-8 that basically are the corresponding elements that are carried out the method of operating steps in claims 9-15. Accordingly, claims 9-15 are rejected for the same reason as set forth for claims 1-8.

As to claims 16-24 are written in mean plus function and contained the same limitations as claims 1-8

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnson et al., US patent no. 6,573,868, discloses that a PCMCIA card has a retractable antenna, and a control switch controls the power supplying to a system according to the position of the retractable antenna.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao whose telephone number is 571-272-3664. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chun Cao

Nov. 12, 2004